

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

RACHEL BAUMGARTNER

Plaintiff,

vs.

EMERALD AR SYSTEMS

and DOES 1-10, inclusive,

Defendant,

Civil Action No.

1:12-cv-0818(FJS/RFT)

NOTICE OF DISMISSAL

Pursuant to Fed.R.Civ.P. 41(a)(1)(A)(i), the Plaintiff hereby voluntarily dismisses this action without prejudice and each party to bear their own costs and attorney fees.

Dated: November 2, 2012

RESPECTFULLY SUBMITTED:

s/Kevin J. Buckley, Jr., Esq.

Attorney for Plaintiff

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PROOF OF SERVICE

I hereby certify that on November 2, 2012, a copy of the foregoing was filed electronically in accordance with the Court's Electronic Filing Guidelines. Notice of this filing will be sent to all parties by operation of the court's electronic filing system. Parties may access this filing through the court's system. Parties not on the electronic filing system will receive notice by email.

/s/ Kevin J. Buckley, Jr.

SO ORDERED


FREDERICK J. SCULLIN, JR.
SENIOR U.S. DISTRICT JUDGE

11/5/12